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General Assembly
Security Council

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18 July 2006
English
Original: Arabic

General Assembly
Sixtieth session
Agenda item 14
The situation in the Middle East

Security Council
Sixty-first year

Identical letters dated 18 July 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to inform you that the Israeli aggression against Lebanon which commenced on 12 July 2006 escalated seriously today, 18 July 2006. At 12.40 p.m., a humanitarian aid convoy travelling from the United Arab Emirates was bombarded by Israeli warplanes in the locality of Tell Chiha, close by the statue of the Virgin Mary, in the region of the Zahle hills. Members of the guard accompanying the convoy were hit by the firing and the lorry transporting medicine was set on fire in the attack. A second humanitarian aid convoy was also hit by Israeli warplanes. These attacks took place despite the fact that the lorry transporting medicine and the ambulances displayed the emblem of the International Committee of the Red Cross.

I should be grateful if you would arrange for the text of this letter to be circulated as a document of the sixtieth session of the General Assembly, under agenda item 14, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

06-43405 (E) 180706 180706

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General Assembly
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Identical letters dated 18 July 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to inform you that the Israeli aggression against Lebanon which began on 12 July 2006 escalated seriously today, 18 July 2006, with the attack on a barracks of the Lebanese army situated at Djamhour, in an area located some 100 kilometres from the southern border. Fifteen soldiers were killed and 40 others injured in this attack which was launched with no discernible justification. The Lebanese army is the principal institution representing the unity of Lebanon and has an important role to play in the period ahead. The Israeli Government has repeatedly called for the Lebanese army to be deployed on the border to put an end to the tensions that existed in the past, which raises questions about Israel's intentions and designs in the wake of this criminal operation.

I should be grateful if you would arrange for the text of this letter to be circulated as a document of the sixtieth session of the General Assembly, under agenda item 14, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

06-43399 (E) 180706 180706

United Nations A/60/946

General Assembly

Distr.: General
19 July 2006

Original: English

Sixtieth session
Agenda item 71 (b)
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Letter dated 18 July 2006 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to convey to you the information regarding the introduction of habeas corpus in the Republic of Uzbekistan (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the sixtieth session of the General Assembly, under agenda item 71 (b).

(*Signed*) Alisher **Vohidov**
Permanent Representative of the Republic of Uzbekistan

06-43607 (E) 250706 250706

Annex to the letter dated 18 July 2006 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Introduction of the institution of habeas corpus in Uzbekistan

Under articles 19, 25 and 44 of the Constitution of the Republic of Uzbekistan, which establish the rights of citizens to legal defence, in order to further liberalize the judicial and legal system and ensure the gradual and consistent transfer to the courts of the right to issue orders for the application of procedural compulsion measures involving limitation of constitutional human rights and freedoms, the President of Uzbekistan issued the Decree "On transferring to courts the right to issue detention orders" on 8 August 2005.

Under the Decree, on 1 January 2008 the right to issue orders for the detention of persons suspected or accused of crimes will be transferred to the competent courts.

The Decree serves as confirmation of the continuing liberalization of the judicial and legal system, as it expands the powers of the courts in the administration of justice.

The transfer to the courts of the right to issue detention orders will allow the question of restriction of liberty to be publicly addressed in open court in the presence of the suspect, legal counsel, the prosecution and other interested parties. This in turn will do much to strengthen legal guarantees ensuring citizens' freedom during criminal prosecution at the stage when the question of detention is decided.

In order to establish a legal mechanism for the courts to issue detention orders, in accordance with the requirements of the above-mentioned Decree, the Ministry of Justice of Uzbekistan, in concert with the Supreme Court, the Office of the Prosecutor-General, the Ministry of Internal Affairs and the National Security Service of Uzbekistan, has developed a draft law which would introduce amendments and additions to the Code of Criminal Procedure and to the Acts "On the courts" and "On the Prosecutor". This draft has been sent to the Parliament of Uzbekistan for consideration.

The experience of foreign countries in matters of imprisonment and detention was considered as this draft law was being prepared. The draft envisages a change in the procedure for issuing detention orders whereby an investigator would bring a motion to apply a preventive measure in the form of detention, and the prosecution, if in agreement, would introduce the motion for consideration by the court. The question of applying this preventive measure would be considered by the district (municipal) Criminal Court acting alone, with the participation of the prosecution, the accused, the defence counsel and others who have been subpoenaed to appear in court. Based on the outcome of consideration of the motion, the Court will decide to apply or reject detention and the decision may be appealed or protested by the persons concerned.

It is also envisaged that extension of the detention will also be ordered by this same court. Detention should be ordered in exceptional cases, when other preventive measures prove ineffective, and only by decision of the courts, where competent.

The introduction of this type of detention indicates that Uzbekistan is in strict compliance with international human rights protection standards. This is the latest phase in the strengthening of the judicial branch and its authority as a guarantee of effective human rights protection and introduction of the institution of habeas corpus.